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MEMO ENDORSED

July 10, 2008

BY FAX

Honorable P. Kevin Castel
United States District Judge
Southern District of New York
500 Pearl Street, Room 2260
New York, NY 10007

USDS SDNY
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Re: Clark v. City of New York et al., 08 CV 5064 (PKC)

Dear District Judge Castel:

I am the Assistant Corporation Counsel in the Office of Michael A. Cardozo, Corporation Counsel for the City of New York assigned to the above-referenced case. I am writing with the consent of plaintiff's counsel, Stephen Krawitz, Esq., to respectfully request (1) that the City be granted a sixty-day enlargement of time, from July 14, 2008 to September 15, 2008, to answer or otherwise respond to the complaint, and (2) that the initial conference currently scheduled for July 21, 2008 at 9:45 a.m., be adjourned until after issue is joined. This is the City's first request for an enlargement of time and an adjournment of the initial conference in this action.

The complaint alleges, *inter alia*, that plaintiff was falsely arrested, falsely imprisoned, and subjected to excessive force. Before this office can adequately respond to the complaint, we will need to conduct an investigation into the facts of the case. To this end, the City will need to obtain the underlying arrest and criminal court records regarding this action, as well as medical releases for the injuries claimed by plaintiff. The enlargement of time will therefore afford us the opportunity to investigate the matter.

In view of the foregoing, it is respectfully requested (1) that the City be granted a sixty-day enlargement of time, from July 14, 2008 to September 15, 2008, to answer or otherwise

respond to the complaint, and (2) that the initial conference currently scheduled for July 21, 2008 at 9:45 a.m., be adjourned until after issue is joined.

Thank you for your consideration in this regard.

Respectfully submitted,



Stuart E. Jacobs (SJ 8379)
Assistant Corporation Counsel
Special Federal Litigation Division

cc: BY FAX (212) 682-8821
Stephen Krawitz, Esq.
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PKC *Time to respond to complaint
for all defendants extended to September 15
The conference is adjourned to
September 12, 2008 at 11:15 a.m.*

Application Granted.

So Ordered:


Hon. P. Kevin Castel, U.S.D.J.

July 11, 2008